

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-322

May 4, 2004

NORTHERN UTILITIES, INC.,
Request for Approval of
Reorganization (Bare Steel
Pipe Replacement Program)

ORDER

Welch, Chairman; Diamond and Reishus, Commissioners

I. SUMMARY

We waive the bare steel facilities replacement program requirement for Segment #111 through the end of 2005 for Northern Utilities, Inc. (Northern) as set forth in this Order.

II. BACKGROUND

On April 30, 2003, we approved the bare steel facilities replacement program proposed by Northern Utilities, Inc. (Northern), developed with the concurrence of our Gas Safety Inspector. In that Order we granted a one-year waiver of the replacement plan terms for Segment #111 to allow Northern to defer its replacement until 2004 to coincide with planned bridge construction.

By Motion filed April 28, 2004, Northern requests that we grant a continued waiver to allow Northern to replace Segment #111 when the bridge to which it is affixed comes under construction, now expected to be 2005.

III. DISCUSSION

Our Pipeline Safety Inspector supports Northern's request. The justification for the continued waiver remains the economic efficiency of replacing the pipe only once when the bridge is reconstructed, rather than now which would subject the new pipe to removal or disturbance when the bridge is reconstructed.

We find Northern's request for continued waiver of replacement of Segment #111 reasonable and will grant it through 2005. If at the expiration of that time, the bridge has still not undergone construction, we will ask our Gas Safety Inspector to evaluate whether, because of safety considerations, the replacement should go forward in 2006 regardless of whether the bridge will be reconstructed.

Accordingly, we

O R D E R

That the bare steel facilities replacement plan requirement to replace Segment #111 is waived through the end of 2005 at which time, if the replacement has not yet occurred, we will reevaluate the question of whether replacement should proceed separately from bridge reconstruction.

Dated at Augusta, Maine, this 4th day of May, 2004.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Diamond
 Reishus

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.